

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>CLIFFORD STEVENS, et al</b>	:	<b>NO: C-1-00-901</b>
<b>Plaintiff</b>	:	
<b>v.</b>	:	
<b>DAVIDSON LADDERS, INC., et al</b>	:	
<b>Defendant</b>	:	

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**MOTION FOR EXTENSION OF TIME IN WHICH TO RESPOND TO  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

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Now come Plaintiffs, by and through counsel, and respectfully request this Honorable Court to extend the time within which Plaintiffs have to respond to the Defendant's Motion to Exclude Opinion Testimony of L. D. Ryan and Motion for Summary Judgment for the reasons more fully set forth in the Memorandum below.

below.

Respectfully submitted,

S/ Michael Todd McIntosh  
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**MEMORANDUM**

The Plaintiffs, by and through counsel, requests a further continuance, to the 14<sup>th</sup> of January, 2005, to answer the Defendant's Summary Judgment. While the Court has graciously continued the Summary Judgment response deadline to the 6<sup>th</sup> of January, 2005, Plaintiff's counsel maternal grandfather's condition has continued to deteriorate to the degree that counsel as his Power of Attorney has had to devote extensive time in preparing for his after care and hospice considerations as well as deal with distraught family. This professional and family concern has caused counsel for Plaintiff to be absent from his office and daily duties therein.

The parties have heretofore cooperated well in the concourse of this matter. The Plaintiffs have agreed to various extensions of time, including at least two extensions for the settlement conference itself. Defendant's counsel has voiced his agreement to the extension.

The Plaintiffs hereby request an extension of time in which to respond to the Motion for Summary Judgment. The Plaintiffs further request that the settlement conference set for January 6<sup>th</sup>, 2005, at 2:00 P.M. be maintained on the Court's docket. Certainly, the Plaintiffs would agree that the Defendants could attend by telephone.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

This is to certify that on the 06 day of January, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to the following John L. Tate, Jamie K. Neal, Stites & Barbison, 400 West Market Street, Suite 1800, Louisville, Kentuck 40202-3352 and Joseph P. Thomas and Jennifer Jansen Bouchard, Ulmer & Berne, 600 Vine Street, Suite 2800, Cincinnati, Ohio 45202.

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